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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,928	11/24/2003	William Jackson Bushnell	Bushnell 25-26 (13436.287	5246
24283	7590	03/15/2006	EXAMINER PHAN, HUY Q	
PATTON BOGGS 1660 LINCOLN ST SUITE 2050 DENVER, CO 80264			ART UNIT 2687	PAPER NUMBER

DATE MAILED: 03/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/720,928	Applicant(s) BUSHNELL ET AL.	
	Examiner Huy Q. Phan	Art Unit 2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to Amendment filed on date: 02/07/2006.
Claims 1-8 are still pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mayne (US-2004/0025047) in view of McConnell (US-6,970,719).

Regarding claim 1, Mayne discloses an interoperability system (fig. 1 and its description) connected to an enterprise communication network (LAN 10) and a public communication network (PSTN 43 or Internet 14 (fig. 8) or WAN [0101] or phone network 44 [0119]) for providing communication services to users' wireless station sets (fig. 1, 3-8) which are located in the coverage area of a one of said enterprise

communication network and said public communication network (fig. 1 and its description), comprising:

presence server means (WIS 1 and [0028]) for storing user presence data for a user wireless station set (described as "if the user is using a wireless communications device 3,4,5,6,7,8, the WIS will store an indication of the device, either as a particular address, device identifier, or the like together with the user name and password...The WIS can store data concerning which radio 34,28 the user's communication device 3,4,5,6,7,8 is attached to. Every time a user's communication device 3,4,5,6,7,8 moves from one radio 28,34 to another there is a disconnection and reconnection process", see [0074]-[0075]), comprising:

information sharing means (fig. 2, PBX 40 Interface 23 and AP Interface 21) for exchanging said user presence data with said enterprise communication network and said public communication network (described as "To make this as seamless as possible a "roaming" capability is operated by the processor to allow the controlled hand-off from one radio to another", see [0075]) to extend the wireless services provided in the enterprise communication network to the public communication network based on said presence data (described as "Every time a user's communication device 3,4,5,6,7,8 moves from one radio 28,34 to another there is a disconnection and reconnection process", see [0074]-[0075]).

But, Mayne does not particularly show location means for identifying a last determined location of said users wireless station set in said enterprise communication network and said public communication network; and device status means for

identifying a present busy/idle status of said user wireless station set. However in analogous art, McConnell teaches location means for identifying a last determined location of said users wireless station set in said enterprise communication network and said public communication network (col. 11, lines 53-56); and device status means for identifying a present busy/idle status of said user wireless station set (col. 11, lines 50-53). Since, Mayne and McConnell (abstract) are related to a method for the mobile station in wireless communication with a private wireless network and a public wireless network; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Mayne as taught by McConnell because "Each mobile station typically has a "home" wireless network, in which a home location register (HLR) serves as a centralized repository of information about the mobile station. Typically, the HLR contains a service profile for the mobile station, the last reported location of the mobile station, and the current status of the mobile station, such as whether it is active or inactive. The service profile indicates which enhanced services the mobile station subscribes to", (see col. 2, lines 53-60).

Regarding claim 2, Mayne and McConnell disclose the interoperability system of claim 1. Mayne further discloses wherein said enterprise communication network and said public communication network each comprise at least one cell site (inherently as "access points 2"), said location means comprises: location data update means ([0072]-[0075], [0121] and [0054]), responsive to user location data received from a one of said enterprise communication network and said public communication network ([0072]-

[0075], [0121] and [0054]), for recording present location data identifying a one of said at least one cell site which presently serves said user wireless station set ([0072]-[0075], [0121] and [0054]).

Regarding claim 3, Mayne and McConnell disclose the interoperability system of claim 1. McConnell further discloses wherein said presence server means further comprises: availability means for storing data indicative of availability of said user wireless station set for communication (described as “this working service profile defines the services available to mobile station 64 while it is in the coverage area of private network 12”, see col. 18, lines 50-67; and “If the status information for mobile station also indicates that it is available to receive a call”, see col. 20).

Regarding claim 4, Mayne and McConnell disclose the interoperability system of claim 1. McConnell further discloses wherein said information sharing means comprises: status update means (col. 20, lines 26-44), responsive to receipt of an inquiry from said enterprise communication network for providing said user location data, busy/idle status and availability data (col. 20, lines 43-44) to determine whether said public communication network is capable of extending a communication connection from said enterprise communication network to said user wireless station set (col. 21, lines 28-67).

Regarding claim 5, Mayne discloses a method of providing service

interoperability (fig. 1 and its description) in both an enterprise communication network (LAN 10) and a public communication network (PSTN 43 or Internet 14 (fig. 8) or WAN [0101] or phone network 44 [0119]) for providing communication services to users' wireless station sets (fig. 1, 3-8) which are located in the coverage area of a one of said enterprise communication network and said public communication network ("access points 2"), comprising:

storing (WIS 1 and [0028]) user presence data for a user wireless station set (described as "if the user is using a wireless communications device 3,4,5,6,7,8, the WIS will store an indication of the device, either as a particular address, device identifier, or the like together with the user name and password...The WIS can store data concerning which radio 34,28 the user's communication device 3,4,5,6,7,8 is attached to. Every time a user's communication device 3,4,5,6,7,8 moves from one radio 28,34 to another there is a disconnection and reconnection process", see [0074]-[0075]), comprising:

exchanging (fig. 2, PBX 40 Interface 23 and AP Interface 21) said user presence data with said enterprise communication network and said public communication network (described as "To make this as seamless as possible a "roaming" capability is operated by the processor to allow the controlled hand-off from one radio to another", see [0075]) to extend the wireless services provided in the enterprise communication network and the public communication network based on said presence data (described as "Every time a user's communication device 3,4,5,6,7,8 moves from one radio 28,34 to another there is a disconnection and reconnection process", see [0074]-[0075]).

But, Mayne does not particularly show identifying a last determined location of said user wireless station set in said enterprise communication network and said public communication network; and identifying a present busy/idle status of said user wireless station set. However, McConnell teaches identifying a last determined location of said user wireless station set in said enterprise communication network and said public communication network (col. 11, lines 53-56); and identifying a present busy/idle status of said user wireless station set (col. 11, lines 50-53); therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Mayne as taught by McConnell because "Each mobile station typically has a "home" wireless network, in which a home location register (HLR) serves as a centralized repository of information about the mobile station. Typically, the HLR contains a service profile for the mobile station, the last reported location of the mobile station, and the current status of the mobile station, such as whether it is active or inactive. The service profile indicates which enhanced services the mobile station subscribes to", (see col. 2, lines 53-60).

Regarding claim 6, Mayne and McConnell disclose the method of providing service interoperability of claim 5. Mayne further discloses wherein said enterprise communication network and said public communication network each comprise at least one cell site (inherently as "access points 2"), said step of identifying comprises: recording, in response to user location data received from a one of said enterprise communication network and said public communication network, present location data

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identifying a one of said at least one cell site which presently serves said user wireless station set ([0072]-[0075], [0121] and [0054]).

Regarding claim 7, Mayne and McConnell disclose the method of providing service interoperability of claim 5. McConnell further discloses wherein said step of storing further comprises: storing data indicative of availability of said user wireless station set for communication (described as "this working service profile defines the services available to mobile station 64 while it is in the coverage area of private network 12", see col. 18, lines 50-67; and "If the status information for mobile station also indicates that it is available to receive a call", see col. 20)..

Regarding claim 8, Mayne and McConnell disclose the method of providing service interoperability of claim 7. McConnell further discloses wherein said step of exchanging comprises: recording (col. 20, lines 26-44), in response to receipt of an inquiry from said enterprise communication network for providing said user location data busy/idle status and availability data (col. 20, lines 43-44) to determine whether said public communication network is capable of extending a communication connection from said enterprise communication network to said user wireless station set (col. 21, lines 28-67).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Raffel discloses "Upon receipt of any of the deregistration requests listed above, the cordless cellular base station 10 updates the status of the mobile station 12 in the registration list (FIG. 8) from an "active" or "standby" status to a dormant status. Further, the cordless cellular base station 10 preferably informs the cellular network 16, so that the routing of calls for the mobile station identification number (MIN) to the landline number is disabled", (see specification).

b) Gallagher discloses that "This subscriber device 12 is in wireless electronic communication with a cellular network 14, which provides licensed wireless service in the form of voice or data services. When the device 12 is within an unlicensed wireless service coverage area 16, the licensed wireless service is substituted without interruption for an unlicensed wireless service that is facilitated through a base station 18", (see fig. 1 and specification)

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


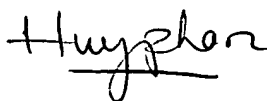
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy Q Phan whose telephone number is 571-272-7924. The examiner can normally be reached on 8AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


GEORGE ENG
SUPERVISORY PATENT EXAMINER